

# THE LEGISLATURE.

EIGHTY-NINTH DAY.

THURSDAY, Sept. 15, 1892.  
Afternoon Session.

The Assembly reconvened from recess, at 1:30 o'clock.

Noble Marsden said that a charge had been made against a certain official by the Minister of Finance that two members of the House had been taken away yesterday afternoon. The implication was that they had been carried in some way from voting according to expectation. He moved the matter be referred to the Judiciary Committee having charge of the Kanoa matter.

Noble Thurston thought the charge was ridiculous, the opposition had to get 24 votes.

Minister Neumann (interrupting). Twenty-five.

Noble Thurston (continuing), and it would not help the opposition if they took one member or twenty.

The President ruled the matter out of order.

Minister Macfarlane spoke at length, recounting a history of the Cabinet making negotiations. A full report of his speech will appear tomorrow.

Minister Neumann desired to ask if anyone wanted to speak; if not, he wanted to close for the prosecution and, like the others, act in a Christian spirit like them to say some unpleasant things and then apologize afterwards. I may say that I do not propose to stay in this House very long, am a man of peace and do not like fighting. Hoped the result of the action of this House would be general amity, as should exist between the ins and outs, and that Noble Marsden would forgive them for having been in even three days. Do not intend to treat subject flippantly. Status has been given by Mr. Thurston which he must dispute in toto. The argument of Noble Thurston is this, that it is the maintaining of a constitutional right. A certain faction of this House which could not maintain the position which it arrogated to itself, did violate the Constitution in the grossest way. The reason he said this was because the Constitution divided the Government into three branches, to be kept distinct. It did not authorize the Legislature to name the Cabinet. If the Constitution needed amending in that particular, why had not Mr. Thurston brought forward some such amendment? There is nothing in the Constitution that authorizes a majority to name the men who are to be put in the Cabinet. This is a step to demolish that which the Noble from Maui has helped to build up. This Constitution is as good as we need, it may need amending in some points but not in that. The main purpose in forming the Constitution was to clear a former Legislature from the influence of bribery, not with money but with the promise of situations and office. Mr. Thurston had told them how the Legislature of 1886 was full of office-holders. They had swept it away in order to the branches of government distinct in fact as well as in name. If that was correct, the sole right of the House was to pass on the Cabinet after it was appointed, not to nominate one in secret caucus. If this principle was carried out the Supreme Court would have to be abolished, and each member would settle the quarrels of his own district; he would settle matters of life and death and the Legislature would be supreme, the executive power of the country being placed therein. The honorable Noble from Maui had thrown down the gauntlet on the Constitution. He defied Noble Thurston to show anything in the Constitution which required a Premier to submit his nominations to a caucus. The speaker found it very odd that Minister Parker should be accepted and he rejected, since he confessedly had done nothing. He could not attribute it to personal enmity, though he hoped he had enemies. He was a pious man and said his prayers every morning and besides thinking the Lord for his daily bread he always asked him to preserve his enemies. They keep a man fresh. There was nothing unconstitutional in the appointing power sending a whole Cabinet back, after they had been voted out, as for instance where they go out under a misapprehension or by means which show to have been illegal, such as bribery; but in all cases it is the prerogative power to send men to you and for you to judge. The House could reject them. He was going to go out, and let the member from the third district come in as Attorney-General, he has filled that place very ably before and could do it again. The Marshal would then be directly under his thumb and he would enjoy it. It was the opposition which was in the wrong and fighting against principle. He had but a few words more to say. He admired the attitude of the Noble

from Maui. He was energetic and honest and intelligent, but his intelligence was now clouded by speculations in Chicago, etc., so that now he is not the clear thinker he had before. He was a stalwart defender of republics, and that he had a perfect right to be. The speaker believed in republics also, but when he came here he accepted the institutions of this country, and he did not intend to gab, in public, on revolutionary themes. It was a mistake, however, for the member from the first district to say that the annexation cry was raised by the Cabinet as a bugbear, as Pope says: "For forms of Government let fools contest, whatever is best administered is best." It is a significant fact that all this cry about annexation has come from the opposition while never a word has been said on the subject by the Cabinet or its supporters. As the champion of the planters he was willing to give the country away for what he could get for it. What difference did it make to us what form of government we lived under so long as they, the planters, made money? Annexation was not the greatest evil nor the greatest good which could befall this country, for although the United States was our nearest neighbor, we would always enjoy its friendship and protection, as long as we maintain a Christian civilization and have a due regard for the rights of property and person. He believed in upholding the majesty and dignity of Hawaii by not having her become a street-walker and begging to be taken in. It would be time enough to submit the question to the people when we were asked. If Uncle Sam, out of that tremendous amount of money which he has, was willing to spend a few millions here building dry docks and making harbors, let him be welcomed with both hands, for he is a good tenant. Did not believe that it was the wish of the United States to annex the islands. Our side has never raised that cry of annexation, it has always come up like an accusing spirit out of the mouths of those who belong to the opposition. Perhaps there is more in it than appears on the surface. The matter did not, however, enter into the question before this House. It was only two years ago that he came to the Assembly because he heard that Thurston and Ashford were going to have a row that was always better than a circus and it was free. As to the member from the Third District, he was a good lawyer, and he had another profession—he was a professional repeater. A few years ago he was thumping the ground with a rifle and calling for a new constitution. Afterwards he wanted another new constitution. He was saying there never should have been a new constitution, the natives were robbed, no change should have been made.

Rep. Ashford—I never said it! Minister Neumann—(Markedly)—You did, I have heard you.

Rep. Ashford—(Determinedly)—No, I did not say it!

Minister Neumann—I heard you. I do not want to do the honorable member any injustice but it shows how utterly unreliable a sheet that Advertiser is. (Laughter and applause.) I listened to his speeches, I love to listen to him, he has generally a great deal to say even if it is not always to the point. (Laughter.) His speeches please me I even used to pay back hire, during the last campaign to hear him. During those speeches I contend he saw the error of his ways, that he had repented, that he had joined the Liberal party because he had repented of his former course. That is what he did say, that is the way the Advertiser gave it, and the Advertiser, with all the little differences between us is gospel to me. (Laughter and applause.) He called the planters grasping, tyrannical, sugar barons; sometimes he roared at them like a lion; at others—for he did not want to go too far—he roared at them as gently as any cooing dove. He had said that his now bosom friend Thurston was going about with the brand of Cain upon his brow all on account of a little present given by Mr. Dillingham. (Laughter.) The sugar-barons Baldwin, Horner, Cummings, Kanoa and Marsden had forgotten and now they embraced. Why do they embrace now? Simply to put out the Cabinet of a day.

Noble Marsden—That's what its for. He could imagine what the object of such a union can be but he didn't propose to state it to this House. (Laughter.) If any good ground could be alleged for putting the Ministry out, they would go out.

Rep. Ashford did not doubt they would go out; but would they stay out? That was the point on which he would like to be satisfied?

Minister Neumann said, as the member had been converted so many times, let him repent once more and show his good sense and fairness by voting to sustain the Cabinet until it had done something to be put out for. There could not be such a thing as ill-feeling between the member from the 3d, Noble Thur-

ston and himself. I know that if the member from the 3d could get at his own true inwardness and recognize himself again, or if Noble Thurston could dismiss from his mind the sound of music and bells and the dreams of the Exposition in Chicago that they would both think better of it and vote for the Cabinet although I hardly believe they will. (Continued applause.)

Noble Thurston said this was the third funeral oration on himself he had heard from the Noble. They were always amusing, and were quickly followed by his official death. The Minister seemed disappointed, because the speaker and the member for the Third Ward did not make a bear garden of the House. If he had a principle which he believed to be correct he supported it, whether others did or not; and he did not abandon it merely because someone elected on a different platform also advocated it. Another large hardly worth replying to was, that he had run away from Honolulu to Maui to get elected. He had lived on Maui longer than anywhere else, and his property interests were there, if he was not a representative of Maui then he was not of anywhere. The remarks of the Minister of Finance were decidedly small potatoes, to come from the Premier. He might go ahead and give his own version of the story, if he thought it worth while. It was said that there were no worse slave drivers than the Yankees who went down South, no worse dudes than the Anglo maniacs in New York who turn their pants up when it rains in London and always sneeze when the Prince of Wales had a cold in his head and it had been reserved for an American to come down here and defend illiberal principles against the united Englishmen of the House. The honorable Attorney-General was a day behind the fair. Had he been talking in England in the eighteenth century his remarks would have represented the views of the ten Tories. Those Tories were dust now.

The member then read from the caucus resolution to show the principle on which he was arguing.

Continuing, Noble Thurston said: This resolution was signed by all the members of the Attorney-General's own party except C. O. Berger. This resolution was rejected by the Attorney-General, and he was doing his best to down it, though it had been accepted and acted on. A milestone had been put in our history when that resolution was adopted that we had joined against the Queen and now the Premier attempts to take that place, and we were trying to put in a second today. The Premier himself acknowledged the soundness of the principle.

Minister Macfarlane asked that the speaker read the reservation which accompanied his signature.

Noble Thurston did so and said: What is the principle? The rule of the majority. The majority of the House. Yet he has signed it, and has come in as a Minister, like a thief in the night, telling no one in the House. Was that to be endorsed? Was the House composed of children or men? Having wrested the power from the hand of one, are we to give it to another?

Minister Macfarlane stated that he had accepted simply the principle that the Queen should summon one of the majority of the Opposition to form a Cabinet; never that that leader should take his nominees back for approval of a caucus. Noble Thurston was trying to throw dust in their eyes.

Noble Thurston said it was well understood that the person called was called in a representative capacity, and that resolution never contemplated substituting one autocrat for another. Who was responsible?

Noble Macfarlane—I am responsible! One word now, while I have the floor, regarding annexation. If, as said, that there was no thought by the Opposition of that subject, why did the member endeavor to get a new treaty in 1890?

Noble Thurston—Yes, in 1890 you were warning people against Thurston; that he was trying to make a treaty which you opposed.

Minister Macfarlane—Yes, that shotgun treaty. The landing of troops clause.

Noble Thurston—There was no proposition to pass any such treaty. With regard to the annexation scare. If he had dared to speak of annexation as the Attorney-General had just done, the Minister of Finance would be up and dancing with rage. He was doing the same thing two years ago. He would simply tell the natives that when a Cabinet goes around raising the annexation issue, they are drawing a herring across the scent to cover up their own tracks. Let us stand plainly on the issue. Shall there be representative government in this country, or personal government?

Rep. Robert W. Wilcox moved the previous question.

On motion, the ayes and nays were then taken on the motion to adopt the resolution of want of confidence, resulting as follows:

Ayes—Nobles Ena, Cummins, Kanehane, J. M. Horner, Marsden, Young, Baldwin, W. Y. Horner, Walbridge, Anderson, Thurston, Wilcox and Kanoa; Reys, Wilder, Bipikane, Ashford, Kaula, R. W. Wilcox, Bush, Horner, Kaluna, Iosepa, Smith and A. S. Wilcox—24.

Noes—Nobles Berger, Pua, Peterson, Williams, Hind, Hoapili, Cornwell and Dreier; Reys, Aki, Pua, Nawahi, Koahe, Kaunamano, Kamaoaha, Waipulani, Kapahu, Nahu, White, Kaneali, Edmonds and Akina—21.

The Secretary handed the list of record to the President and he then stated that there were 24 in favor of the resolution and 21 against. The vote just cast compelled him to make an explanation of the part he would take in it. For some days past he had been giving considerable attention to the subject; had heard lawyers giving their opinion of what they thought was right. Have taken the opinion of leading men outside of the House. He thought that, from the opinions he had heard, it requires, according to Article 41 of the Constitution, a vote of 25 to carry the resolution. To-day had had a conversation with a leading man who said that it would be proper and safe that 24 would be right. That, however, would be dangerous ground for him, as President, to take, and he would therefore have to take the ground that 25 was necessary.

Noble Thurston rose to protest, and Reys, Ashford, Bush and Wilcox also rose.

Noble Peterson moved at 4:35 that the Assembly adjourn.

Noble Thurston demanded the floor on a question of privilege.

The President endeavored to obtain order.

Minister Neumann rose to a point of order inasmuch as the motion of Noble Peterson should have been put.

Noble Thurston—The matter to be decided was of more importance than personal convenience—he would;

Rep. Ashford rose to protest against the Ministers remaining; they ought to walk out if they were gentlemen.

Noble Marsden considered that the Ministers should be ashamed of themselves for even a desire to remain.

Minister Neumann again rose to a point of order and asked the President to put the motion to adjourn.

President Walker put the motion to adjourn and amid great excitement and turmoil. He declared the House adjourned and left the chair. Members were rising and shouting and the spectators added to the excitement by shouting, applauding, etc.

There was no disposition evinced by the opposition to leave, and the angry faces and tumult made nervous people frightened.

The President returned and again rapping the members present to order said that he had not put the negative on the motion to adjourn.

Noble Marsden desired that before further business was transacted the spectators be cleared out. He only desired that to facilitate business.

Rep. Ashford said that he would make an appeal at present pending a protest.

Minister Neumann said that was not the proper way.

Rep. Ashford protested against being interrupted by Minister Neumann.

Minister Neumann protested against Rep. Ashford. Against his existence.

Rep. Ashford submitted that opportunity—

Minister Neumann rose to a point of order that there was a motion to adjourn pending.

Noble Baldwin said that the vote had not been announced on the question of the resolution nor on the adjournment.

Noble Thurston said that it could be easily seen that the members in favor of the Cabinet did not dare face the trial of an appeal. The President asked the Clerk if a quorum was present and being answered three times in the negative at last declared the House adjourned for lack of quorum.

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Friday, Sept. 23rd

Tuesday, Oct. 11th

Friday, Oct. 21st

Tuesday, Nov. 1st

Friday, Nov. 11th

Tuesday, Nov. 22d

Friday, Dec. 2d

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Wednesday, Sept. 28th

Saturday, Oct. 8th

Wednesday, Oct. 18th

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Wednesday, Nov. 9th

Saturday, Nov. 19th

Wednesday, Nov. 30th

Saturday, Dec. 10th

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